

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
901 P Street, Sacramento
P. O. Box 2000, Sacramento, CA 95810

STATE WATER RESOURCES
CONTROL BOARD
2003 OCT 10 AM 9:48
DIV. OF WATER RIGHTS
SACRAMENTO

**APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 31454
(leave blank)

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a brief description of your project, including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

The project involves diversion of water from Putah Creek and an unnamed stream tributary to Putah Creek for storage in two proposed reservoirs located on the Applicant's property. The water will be used for irrigation, frost and heat protection of the 202 acres of proposed vineyard, permanent pasture and/or other agricultural crop and 88 acres of proposed permanent pasture (see attached map) and for incidental recreation at the reservoirs. The entire place of use has been developed in permanent pasture for over 30 years. Construction will include development of the proposed reservoirs and developing the place of use. The pasture land is not owned by the Applicant but is under agricultural lease from Lake County, Special Projects District. The reservoir at Point #1 is a proposed onstream reservoir that will have a capacity of 49 acre-feet. It is anticipated that soil materials for dam construction of the reservoir will be obtained from the area below the maximum storage elevation. Reservoir A is a proposed offstream reservoir that will have a capacity of 300 acre-feet. The offstream reservoir will be constructed with a balanced cut and fill of the soil materials within the reservoir area. Vineyard development will involve clearing, grading and installation of pipeline for distribution of water for irrigation and frost protection.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your project by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- (a) Person contacted Lake County Date of contact 5/7/2001
Department Planning & Building Telephone (707) 263-2221
- (b) Assessor's Parcel No. 1) 013-011-53; 2) 014-240-05; 3) 014-240-06; and 4) 014-002-38
- (c) County Zoning Designation 1) RL, RR, FF (Rural Lands, Rural Residential, Floodway Fringe)
2) RL; 3) Sc (Scenic Combining District); 4) Ag, FF
- (d) Are any county permits required for your project? Yes If you answered yes, check appropriate spaces below:
✓ Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit,
_____ Change of Zoning, _____ General Plan Change, _____ Other explain: _____
- (e) Have you obtained any of the required permits described above? No If you answered yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? No [i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.] For each agency from which a permit is required provide the following information:

Permit type _____

Person contacted _____ Agency _____

Date on Contract _____ Telephone () _____

4. Has any public agency prepared an environmental document for any aspect of your project? No
If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the public agency.

If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your project or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

The Applicant expects the State Water Resources Control Board will be the lead agency in preparing the appropriate environmental document for this project.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your water right application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? No

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No

Do you know of any archeological or historical sites located within the general project area? No

If so, explain: _____

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- (a) Along the stream channel immediately downstream from the proposed point(s) of diversion
 - (b) Along the stream channel immediately upstream from the proposed point(s) of diversion
 - (c) At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
✓ Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian
Desert Riparian
Palm Oasis
Joshua Tree
✓ Manzanita

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
✓ Pasture

Aquatic Communities

✓ Riverine
 Lacustrine
 Estuarine
 Marine

Developed Communities

Cropland
Orchard-Vineyard
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program, at (916) 653-7203.)

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to construction and operation of your project. Consider all aspects of your project, including diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

As shown on the aerial photo, the majority of this land is naturally cleared. No trees are anticipated to be removed to plant the vineyard or permanent pasture. Construction of the reservoirs will require clearing of some trees and brush.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your project (Note: See footnote denoted by * under Question 11 below):

Point of Diversion #1 is located on two swales which run only during times when there is precipitation as the drainage areas are relatively small. Further, there is no defined riparian corridor along these swales. The proposed location of the reservoir is in accordance with SWRCB policy which sets forth that storage reservoirs shall not be located on any watercourse which has fishery habitat value. Putah Creek runs year round at the named points of diversion. The diversion facilities at Points of Diversion #2 and #3 will be offset wells and will have no direct impact on the surface flow of Putah Creek. Point of Diversion #2 is located at the site of the historical McKinley Dam which has created an impediment for fish migration upstream. If necessary, Streambed Alteration Agreements from the Department of Fish and Game will be obtained prior to installation of any diversion facility in Putah Creek.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and changes in the places of water use (Note: See footnote denoted by * below):

A biological survey is currently being conducted to address the biological setting of the project. A copy of the report will be submitted to the SWRCB when complete.

*Note: The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers,

you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near your, consult your local telephone directory yellow pages under **Environmental and Ecological Services**, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at (916) 324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity, which has significantly altered or would significantly alter the bed or bank of any stream or lake? Yes

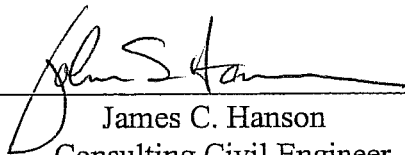
If so, explain: Construction of the proposed reservoirs will require significant earthwork. It is anticipated that earth materials to construct the onstream reservoir can be obtained from below the maximum storage elevation to minimize impacts to lands outside of the inundation area. The Applicant will obtain a Streambed Alteration Agreement pursuant to Department of Fish and Game Code Section 1603 prior to construction. The offstream reservoir will be constructed with a balanced cut and fill of the soil materials.

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date 01/04/01

Signature


James C. Hanson
Consulting Civil Engineer